

**AUCTIONEER BOARD MEETING
MINUTES
APRIL 18, 2006**

PRESENT: Jay Clarke, Byron Krueger, Patrick McNamara, Timothy Sweeney,
Kathryn Daley

EXCUSED Carl Theorin, Alan Hager

STAFF PRESENT: Tim Wellnitz, Bureau Director; Ruby Jefferson-Moore, Legal Counsel;
Nicole Goodman, Bureau Assistant

GUESTS: Maxine O'Brien, Wisconsin Auctioneers Association

CALL TO ORDER

Patrick McNamara, Chair, called the meeting to order at 9:17 a.m. A quorum of six members was present.

AGENDA

MOTION: Jay Clarke moved, seconded by Timothy Sweeney, to approve the agenda as written. Motion carried unanimously.

APPROVAL OF MINUTES (01/31/2006)

Amendments to the Minutes:

- Correct Kathryn Daley's name in draft minutes.

MOTION: Jay Clarke moved, seconded by Kathryn Daley, to approve the minutes as amended. Motion carried unanimously.

**ADMINISTRATIVE REPORT
TIM WELLNITZ, BUREAU DIRECTOR**

Larry Martin, Executive Assistant, introduced himself and the new Deputy Secretary, Barbara Wyatt Sibley.

Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases

Noted.

PRESENTATION OF PROPOSED STIPULATIONS BY THE DIVISION OF ENFORCEMENT

No Presentation was given by the Division of Enforcement.

1. Catherine A. Handrich 03 AUC 014
2. Lynn C. McDowell, d/b/a MAC's Auction Service 03 AUC 025

LEGISLATION AND ADMINISTRATIVE RULES

Public Hearing on Proposed Rules Relating to Continuing Education Requirements for Auctioneers – RL 128 – 9:30 a.m.

Maxine O'Brien, Wisconsin Auctioneers Association, spoke to the Board in favor of the proposed rules relating to continuing education requirements.

Legislative Clearinghouse Report Relating to Continuing Education Requirements for Auctioneers – RL 128

The Clearinghouse staff reviewed the draft and did not have any comments. Pamela Haack is drafting a report for the Legislature.

MOTION: Jay Clarke moved, seconded by Byron Krueger, to nominate Tim Sweeney to review the report for the Legislature and approve it on behalf of the Board. Motion carried unanimously.

MOTION: Timothy Sweeney moved, seconded by Jay Clarke, to have Timothy Sweeney review the draft of rules and approve them on behalf of the board for submittal to the Legislature. Motion carried unanimously.

Status Update on LRB-4005 Continuing Education Requirements for Auctioneer Company Representatives

Mr. Wellnitz informed the Board that because the Legislature is wrapping up for the year the draft will need to be introduced in 2007.

RECIPROCITY AGREEMENT

Status Update on Proposed Reciprocal Agreement with Virginia

At Virginia's last meeting they made a motion not to have a reciprocal agreement with Wisconsin because the entry requirements are not equivalent.

TRAVEL

Board Member Attendance at Wisconsin Auctioneers Association Convention

Maxine O'Brien from the Wisconsin Auctioneers Association spoke to the Board about the Wisconsin Auctioneers Association Convention. Two Board members will participate in a discussion panel. Four Board members plan on being present at the convention. Mr. Wellnitz will post a notice that a quorum of the Board may be present.

PRACTICE QUESTIONS

None.

MISCELLANEOUS INFORMATION/CORRESPONDENCE

None.

NEW BUSINESS

None.

VISITORS COMMENTS

None.

CONVENE TO CLOSED SESSION

MOTION: Jay Clarke moved, seconded by Byron Krueger, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, the Board intends to deliberate on stipulations, administrative warnings, case closings, and monitoring cases. Roll Call Vote: Jay Clarke-yes; Byron Krueger-yes; Patrick McNamara-yes; Timothy Sweeney-yes; Kathryn Daley-yes. Motion carried unanimously.

Open Session recessed at 9:55 a.m.

RECONVENE TO OPEN SESSION

MOTION: Timothy Sweeney moved, seconded by Kathryn Daley, to reconvene into Open Session at 9:59 a.m. Motion carried unanimously.

**VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION,
IF VOTING IS APPROPRIATE**

CASE CLOSINGS

03 AUC 014

MOTION: Jay Clarke moved, seconded by Byron Krueger, to close case **03 AUC 014** for prosecutorial discretion. Motion carried unanimously.

DELIBERATION ON PROPOSED STIPULATIONS

CATHERINE A. HANDRICH 03 AUC 014

MOTION: Jay Clarke moved, seconded by Kathryn Daley, adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation in the matter concerning **Catherine A. Handrich 03 AUC 014**. Motion carried unanimously.

LYNN C. MCDOWELL d/b/a MAC'S AUCTION SERVICES 03 AUC 025

MOTION: Jay Clarke moved, seconded by Byron Krueger, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation in the matter concerning **Lynn C. McDowell d/b/a MAC's Auction Services 03 AUC 025**. Motion carried unanimously.

ADJOURNMENT

MOTION: Kathryn Daley moved, seconded by Timothy Sweeney, to adjourn the meeting at 10:02 a.m. Motion carried unanimously.